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February 21, 2012

EX PARTE PRESENTATION

Ms. Marlene H. Dortch
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

Re: Ex Parte Presentation in IB Docket No. 11-150, *DISH Network Corporation Files to Acquire Control of Licenses and Authorizations Held By New DBSD Satellite Services G.P., Debtor-in-Possession and TerreStar License Inc., Debtor-in-Possession*; IB Docket No. 11-149, *New DBSD Satellite Service G.P., Debtor-in-Possession, and TerreStar Licensee Inc., Debtor-in-Possession, Request for Rule Waivers and Modified Ancillary Terrestrial Component Authority*

Dear Ms. Dortch:

Pursuant to Section 1.1206 of the Commission's rules, 47 C.F.R. § 1.1206, DISH Network ("DISH") submits this letter summarizing a telephone call on Thursday, February 16, 2012 between Rick Kaplan, Chief of the Wireless Telecommunications Bureau, and Thomas Cullen, Executive Vice President of DISH, and a telephone call on Tuesday, February 21, 2012 between Mr. Kaplan, John Leibovitz, Deputy Chief of the Wireless Telecommunications Bureau, and Mr. Cullen.

During the meetings, DISH discussed why immediate approval of the transactions and associated waiver requests is critical to DISH's ability to move forward with its planned nationwide wireless network. The potential for a new wireless competitor comes at a critical time. As noted in a recent CNN study, a looming spectrum crunch "threatens to increase the number of dropped calls, slow down data speeds and raise customers' prices," while at the same time threatening competition and "creat[ing] a deeper financial divide between those companies that have capacity and those that don't."¹ The applications present the Commission with an opportunity to advance one of its highest priorities – providing new

¹ See David Goldman, "The Spectrum Crunch: Sorry, America: Your wireless airwaves are full," CNN.com, Feb. 21, 2012, at http://money.cnn.com/2012/02/21/technology/spectrum_crunch/index.htm (last accessed Feb. 21, 2012).

sources of broadband competition. To that end, DISH discussed the possibility of a more accelerated buildout schedule than what it proposed in its applications.²

To assist in the Commission's efforts to make available additional spectrum for mobile broadband use, DISH also discussed potential conditions that would facilitate competitive carriers' access to DISH's planned nationwide wireless network.

If the Commission expeditiously approves the license transfers and associated waiver requests, DISH would immediately begin the design and construction planning for the nation's first 100 percent LTE network, which would provide greater choice for wireless consumers.

Respectfully submitted,

/s/ Alison Minea

Alison A. Minea

cc: Rick Kaplan
John Leibovitz

² See Consolidated Opposition to Petitions to Deny and Response to Comments, IB Docket Nos. 11-149 and 11-150, at 31 (filed Oct. 27, 2011).